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debtor must be divided *pro rata* among the claimants under the three judgments. *Hulbert* v. *Hulbert*, 216 N. Y. 430, 111 N. E. 70.

For a discussion of the question involved in this case, see NOTES, p. 755.

JUDICIAL NOTICE — TERRITORIAL JURISDICTIONS OF INFERIOR COURTS — NO JUDICIAL NOTICE OF JURISDICTIONS OF JUSTICES OF THE PEACE WHEN FIXED BY BOARD OF SUPERVISORS. — The defendant was convicted of wife abandonment in a justice's court. On retrial in the Circuit Court the only proof of the requisite jurisdiction of the justice of the peace was a statement in the record of the testimony in the justice's court of the place where the defendant left his wife. The territorial jurisdictions of justices of the peace in each county are fixed by a board of supervisors of the county. (1906, MISSISSIPPI CODE, § 2721.) *Held*, that the record fails to show jurisdiction. *Elzey* v. *State*, 70 So. 579 (Miss.).

The principal case indicates that there are limitations on the rule that the law of the forum will be judicially noticed. The underlying principle, it is submitted, is that the taking of judicial notice of enactments of governmental bodies depends, not upon the mere fact that the enactments are law, but upon the relative importance of their source. Thus, when the judicial and administrative divisions of a state are fixed by public statute, the courts will take judicial notice of their boundaries. *Chicago, etc. R. Co.* v. *Hyatt*, 48 Neb. 161, 67 N. W. 8. See *Board of Commissioners* v. *State*, 147 Ind. 476, 497, 46 N. E. 908, 914. Judicial notice will also be taken of the location of towns incorporated under a public statute. See *Gilbert* v. *National Cash Register Co.*, 176 Ill. 288, 292, 52 N. E. 22, 24. Likewise, when the voice of the people speaks in a public election, the courts will take judicial notice of the results of the voting. *Thomas* v. *Commonwealth*, 90 Va. 92, 17 S. E. 788. And a state court has not required proof of the executive orders of the Federal Treasury Department. See *Low* v. *Hanson*, 72 Me. 104, 105. And by the same guiding principle municipal courts must take judicial notice of municipal ordinances. *Scranton* v. *Danenbaum*, 109 Iowa 95, 80 N. W. 221. But in state courts municipal ordinances must be proved, although they are part of the law. *Metteer* v. *Smith*, 156 Cal. 572, 105 Pac. 735. Authority supports the principal case in holding that territorial jurisdictions determined by local boards will not be judicially noticed. *Blackenstoe* v. *Wabash, etc. Ry. Co.*, 86 Mo. 492. See 4 WIGMORE ON EVIDENCE, §§ 2572, 2575, 2577.

LIBEL AND SLANDER — PRIVILEGED COMMUNICATIONS — DISTINCTION BETWEEN MUTUAL COMMERCIAL ASSOCIATIONS AND MERCANTILE AGENCIES CONDUCTED FOR A PROFIT. — The defendant was the secretary of a mutual trade protective society which was not conducted for profit. In answer to the inquiry of one of the subscribers regarding the financial standing of the plaintiff, the defendant, in good faith, made a false and libelous statement, for which the plaintiff now sues. *Held*, that the statement was privileged. *London Association for the Protection of Trade* v. *Greenlands*, 32 T. L. R. 281 (House of Lords).

Credit reports of a mercantile agency are not privileged, when not confined to subscribers having a special interest in the matter. *Sunderlin* v. *Bradstreet*, 46 N. Y. 188; *King* v. *Patterson*, 49 N. J. L. 417, 9 Atl. 705. However, the distinct weight of American authority treats reports of such agencies, if confined to persons having a special interest, as privileged. *Ormsby* v. *Douglass*, 37 N. Y. 477; *Erber* v. *Dun*, 12 Fed. 526. *Cf. State* v. *Lonsdale*, 48 Wis. 348, 369, 4 N. W. 390, 397. But in England and a few United States jurisdictions, a contrary view is taken, when the agency is conducted for profit. *Macintosh* v. *Dun*, [1908] A. C. 390; *Johnson* v. *Bradstreet*, 77 Ga. 172. See *Pacific Packing Co.* v. *Bradstreet*, 25 Ida. 696, 704, 139 Pac. 1007, 1010. It is well settled